

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WAYNE ERICH SURA, JR.,

Plaintiff,

v.

WARDEN KEMPER, DEPUTY WARDEN
MALONE, SECURITY DIRECTOR J. ALDANA,
H.S.U. MANAGER NYGEN, AND I.C.E.
EXAMINER NANCY PAGENT,

Defendants.

ORDER

Case No. 14-cv-360-wmc

Plaintiff Wayne Erich Sura, Jr., a prisoner incarcerated at the Racine Correctional Institution in Sturtevant, Wisconsin, has filed a proposed civil complaint. Plaintiff requests leave to proceed without prepayment of the filing fee. To the extent plaintiff wishes to proceed without prepaying the filing fee, because he is in jail, he must comply with the Prisoner Litigation Reform Act (PLRA), which requires plaintiff to submit a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). Plaintiff has failed to submit the necessary inmate account statement.

For this case to proceed, plaintiff must submit the certified account statement no later than Wayne Erich Sura, Jr. If plaintiff is found to be indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments. If plaintiff does not submit the six-month inmate account statement, I will assume that he wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Wayne Erich Sura, Jr. may have until June 16, 2014 to submit a trust fund account statement for the period beginning approximately November 9, 2013 and ending approximately May 9, 2014. If, by June 16, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 21st day of May, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge